

Notice of Allowability

Application No.

10/632,273

Examiner

Richard Isla-Rodas

Applicant(s)

FARNWORTH ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment after non-final submitted 9/10/2007.
2. ☒ The allowed claim(s) is/are 31, 32, 35-39, 41-46, 49, 50, 52, 55, 60-67 and 75.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Allowable Subject Matter

1. Claims 31-32, 35-39, 41-46, 49-50, 52, 55, 60-67 and 75 are allowed.
2. The following is an examiner's statement of reasons for allowance:

In terms of claim 31, the prior art of record does not teach alone or in combination an engagement probe comprising a grouping of a plurality of projecting apexes having the shape of knife-edge lines wherein the multiple knife-edge lines are positioned to form at least one polygon, in combination with all other elements in claim 31.

As to claims 32, 35-39, 41, 45-46, 55, 60-62, 66-67, the claims are allowed as they further limit allowed claim 31.

In terms of claim 42, the prior art of record does not teach alone or in combination an engagement probe having a grouping of apexes wherein the apexes are in the shape of multiple knife-edge lines being positioned to form at least one polygon, in combination with all other elements in claim 42.

In terms of claim 43 and 49, the prior art of record does not teach alone or in combination an engagement probe having a grouping of apexes wherein the apexes are in the shape of multiple knife-edge lines being positioned to form at least two polygons one of which is received entirely within the other, in combination with all other elements in claims 43 and 49 respectively.

In terms of claim 44, the prior art of record does not teach alone or in combination an engagement probe having a grouping of apexes wherein the apexes are

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in the shape of multiple knife-edge lines being interconnecting to form at least one fully enclosed polygon, in combination with all other elements in claim 44.

In terms of claim 50, the prior art of record does not teach alone or in combination an engagement probe comprising a substrate having a grouping of apexes wherein the apexes are formed on a projection which is supported by another projection, the another projection extending directly from the side of the substrate in combination with all other elements in claim 50.

In terms of claim 52, the prior art of record does not teach alone or in combination an engagement probe comprising a substrate having a grouping of apexes wherein the apexes are formed on a projection which is supported by another projection, the another projection comprising material of the substrate in combination with all other elements in claim 52.

As to claim 63, the prior art of record does not teach alone or in combination an engagement probe comprising a grouping of a plurality of projecting apexes having the shape of knife-edge lines wherein the multiple knife-edge lines are positioned to form at least one polygon, in combination with all other elements in claim 63.

As to claims 64-65, the claims are allowable as they contain structure that further limits allowed claim 63.

As to claim 75, the prior art of record does not teach alone or in combination an engagement probe comprising a grouping of a plurality of projecting apexes having the shape of knife-edge lines, the multiple knife-edge lines interconnecting to form at least one fully enclosed polygon, in combination with all other elements in claim 75.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patents to Akram (6,480,015) and Farnworth et al. (5,326,428).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Isla-Rodas whose telephone number is (571) 272-5056. The examiner can normally be reached on Monday through Friday 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ha Nguyen can be reached on (571) 272-1678. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Richard Isla-Rodas
September 20, 2007



HA TRAN NGUYEN
SUPERVISORY PATENT EXAMINER